THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 16442 of 2005

Dated: 18th August, 2005.

Between:

K.Suryakalavathi

..... PETITIONER

AND

1. The Revenue Divisional Officer,

Rajahmundry, E.G. District and another

.....RESPONDENTS

ORDER:

This writ petition is filed seeking to declare the action of the respondents in not considering the objections of the petitioner dated 08-07-2005 pursuant to the notice issued by the first respondent-Revenue Divisional Officer, Rajahmundry, East Godavari District, dated 26-05-2005, received by her on 07-06-2005, in the surrender proceedings under the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (for short, 'the Act') as illegal, arbitrary and unjust and consequently, to direct the respondents not to give effect to the notice dated 26-05-2005 till her objections are considered.

2. The grievance of the petitioner is that the first respondent has issued a notice dated 30-12-2004 under Section 10(4) of the Act provisionally selecting her excess land to an extent of Ac.49-22 cents situated at Srirangapatnam, Kapavaram and Munagala villages in Korukonda Mandal, East Godavari District, for surrender in the land ceiling proceedings, for which she replied to take alternate lands as the lands mentioned in the notice are having bore wells dug by her spending huge expenditure. Without considering her request, the first respondent issued another notice dated 26-05-2005, which was served on her on 07-06-2005 to take possession of the lands mentioned above. For that, that the petitioner submitted objections dated
08-07-2005 to the first respondent and the same are pending before the respondents who are supposed to consider and dispose of the same. It is also pertinent to note here that some of the lands are being cultivated by her tenants and they have also filed objections before the respondents to consider their request to exclude the land in their possession. She submitted that there are sugarcane and paddy crops in the lands for which the surrender proceedings are initiated. Hence this writ petition.

3. Heard the learned Counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents.

4. Considering the facts and circumstances of the case and without going into the merits of the case, I deem it appropriate to dispose of the writ petition at the stage of admission, with a direction to the respondents to pass appropriate orders on the representation-objections filed by the petitioner dated 08-07-2005 within a period of twelve weeks from the date of receipt of a copy of this order, after giving an opportunity to the petitioner, in accordance with law. No order as to costs.

ELIPE DHARMA RAO, J

18th August, 2005.

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